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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/715,834

11/19/2003

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EXAMINER

PHUONG, DAI

ART UNIT

PAPER NUMBER

2617

MAIL DATE

DELIVERY MODE

07/02/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/715,834	Applicant(s) GASSHO ET AL.	
	Examiner Dai A. Phuong	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 May 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 June 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's arguments, filed 05/08/2007, with respect to claims have been considered but are moot in view of the new ground(s) of rejection. Claims 1-12 are currently pending.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-2, 5-6 and 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cariffe (Pub. No: 20050212670) in view of Nishizawa (U.S. 5987228).

Regarding claim 1, Cariffe discloses a wireless communication print server for relaying a print request received through wireless communications to a printer ([0019]), said wireless communication print server comprising:

a retention unit that retains a parameter for establishing wireless communications ([0023] to [0041]. It is inherent that the system includes the necessary software, hardware, firmware or a combination thereof to accomplish the stated task or functionality);

a determination unit that determines whether or not the setting of said parameter is in the initial state ([0023] to [0041]); and

a change unit that receives a change instruction for the setting of said parameter and changes the setting of said parameter from the initial state based on the change instruction ([0023] to [0041]).

However, Cariffe does not disclose a rejection unit that ignores said print request corresponding to said parameter in initial state if the setting of said parameter is in the initial state.

In the same field of endeavor, Nishizawa discloses a retention unit that retains a parameter for establishing wireless communications (col. 5, line 43 to col. 6, line 23); a determination unit that determines whether or not the setting of said parameter (not registered) is in the initial state (col. 5, line 43 to col. 6, line 23); *a rejection unit that ignores said print request corresponding to said parameter in initial state (not registered) if the setting of said parameter is in the initial state (col. 6, lines 1- 23).*

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the printer server of Cariffe by specifically including a retention unit that retains a parameter for establishing wireless communications; a determination unit that determines whether or not the setting of said parameter; *a rejection unit that ignores said print request corresponding to said parameter in initial state (not registered) if the setting of said parameter is in the initial state*, as taught by Nishizawa, the motivation being in order to allow the request issuer to access the network printing apparatus by its right. Further, it can process print request issued according to different protocols.

Regarding claim 2, the combination of Cariffe and Nishizawa disclose all the limitations in claim 1. Further, Nishizawa disclose a wireless communication print server wherein said

retention unit retains a predetermined rejection flag that indicates whether or not the setting of said parameter is in the initial state, and said determination unit determines based on said rejection flag, said wireless communication print server further comprising: a release unit that changes said rejection flag to a value indicating printing-availability when the setting of said parameter is changed from the initial state (col. 5, line 43 to col. 6, line 23).

Regarding claim 5, this claim is rejected for the same reason as set forth in claim 1.

Regarding claim 6, this claim is rejected for the same reason as set forth in claim 2.

Regarding claim 9, this claim is rejected for the same reason as set forth in claim 1.

Regarding claim 10, this claim is rejected for the same reason as set forth in claim 2.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3-4, 7-8 and 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cariffe (Pub. No: 20050212670) in view of Nishizawa (U.S. 5987228) and further in view of Ohara (U.S. 6314476).

Regarding claim 3, the combination of Cariffe and Nishizawa disclose all the limitations in claim 1. However, the combination of Cariffe and Nishizawa disclose do not disclose a wireless communication print server further comprising: a protocol interpretation unit that interprets based on a protocol the print request received through wireless communications; and a

single driver that receives and sends the print request from a plurality of said protocol interpretation units to the printer, wherein said rejection unit is included in said driver.

In the same field of endeavor, Ohara discloses a wireless communication print server further comprising: a protocol interpretation unit that interprets based on a protocol the print request received through wireless communications; and a single driver that receives and sends the print request from a plurality of said protocol interpretation units to the printer, wherein said rejection unit is included in said driver (col. 13, line 6 to col. 14, line 55)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the printer server of Cariffe by specifically including a wireless communication print server further comprising: a protocol interpretation unit that interprets based on a protocol the print request received through wireless communications; and a single driver that receives and sends the print request from a plurality of said protocol interpretation units to the printer, wherein said rejection unit is included in said driver, as taught by Ohara, the motivation being in order to provide a manager device in a network to be supplied with information regarding the status of a terminal device immediately after the terminal device starts operating in the network.

Regarding claim 4, the combination of Cariffe and Nishizawa disclose all the limitations in claim 1. However, the combination of Cariffe and Nishizawa disclose do not disclose a wireless communication print server, wherein said rejection unit sends back a notification irrespective of the actual operational state of said printer to indicate that said printer is unavailable.

In the same field of endeavor, Ohara discloses a wireless communication print server, wherein said rejection unit sends back a notification irrespective of the actual operational state of said printer to indicate that said printer is unavailable (col. 13, line 6 to col. 14, line 55).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the printer server of Cariffe by specifically including a wireless communication print server, wherein said rejection unit sends back a notification irrespective of the actual operational state of said printer to indicate that said printer is unavailable, as taught by Ohara, the motivation being in order to provide a manager device in a network to be supplied with information regarding the status of a terminal device immediately after the terminal device starts operating in the network.

Regarding claim 7, this claim is rejected for the same reason as set forth in claim 3.

Regarding claim 8, this claim is rejected for the same reason as set forth in claim 4.

Regarding claim 11, this claim is rejected for the same reason as set forth in claim 3.

Regarding claim 12, this claim is rejected for the same reason as set forth in claim 4.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed; and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Art Unit: 2617

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dai A Phuong whose telephone number is 571-272-7896. The examiner can normally be reached on Monday to Friday, 9:00 A.M. to 5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nguyen Duc can be reached on 571-272-7503. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dai Phuong

AU: 2617

Date: 06/22/07



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